

REMARKS

This reply is submitted pursuant to 35 U.S.C. §132 and 37 C.F.R. §1.111. The Office Action was carefully considered by applicants and undersigned attorney. Reconsideration is respectfully requested.

As the Office Action was "Final", this reply is submitted with a Request for Continuing Examination (RCE) under the provisions of 37 C.F.R. §1.114.

1. Summary of the Office Action.

Claims 1, 3-9 and 12-16 were pending.

Claims 1, 3, 5, 6, 8 and 12-16 stand rejected under 35 U.S.C §102(b) over Mullenberg (US 5,639,176).

Claims 4, 7 and 9 stand rejected under 35 U.S.C §103(a) over Mullenberg (US 5,639,176).

Claim Rejections - 35 USC §102-103

Claims 1, 8, 14 and 15. These claims were rejected under 35 USC §102 as being anticipated by Mullenberg. Applicant respectfully traverses this rejection and asserts that Muhlenberg does not anticipate the claims.

Applicant's claimed invention functions by forming a tube with a region of tapering form, and clamping the tapering part of the tube between the base, housing or other component (referred

to in the claims as the “another component”) and a clamping member. The “another component” and the clamping member both include tapering regions with substantially the same cone angle.

Mullenberg does not disclose the feature of Claim 1 that the cone angle of the “another component” and that of the clamping member are substantially the same. In fact, it is clear from the drawing Figures that this is not the case. In the arrangement of Figure 1, the angles 14 and 20 are representative of the cone angles and are clearly totally different. The description supports this difference.

Applicant’s process as claimed has utility in clamping or mounting tubes of substantially uniform wall thickness. The Mullenberg device has the disadvantage that it would not be capable of performing this important function. The differences between the claim and applied prior art are patentably significant.

This same distinctions are also applicable to independent claims 8, 14 and 15. Further, it should be noted that these claims mention that “an end” of the tube (or in the case of Claim 15, “a part” of the first, tubular component) extends into the opening, passage or recess. This implies that another part of the tube is not so located. In the Mullenberg arrangement, the entire cone ring 21 is received within the opening, passage or recess, resulting in the Mullenberg arrangement being incapable of serving as a post arrangement or connection arrangement as set out in the introductory parts of these claims.

As the reference relied upon for anticipation does not describe all of the elements of each of the claims, each is patentable and withdrawal of this rejection is respectfully requested.

Remaining Claims. The remaining dependent claims each adds at least one limitation to the elements of its base claim, and is therefore deemed to be allowable with such base and any intervening claim, at least for this reason.

3. Conclusion.

The pending claims are believed to be patentable for the reasons stated above. Reconsideration and favorable action are respectfully requested.

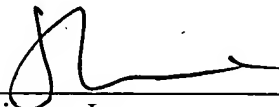
Should the Examiner believe that telephone communication would advance the prosecution of this case to finality, he is invited to call at the number below.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time under 37 CFR 1.136(a), provided a Petition is not submitted separately.

Please charge any fee due not paid by a check or credit card provided herewith, and/or charge any underpayment in any fee, and/or credit any overpayment in fee, to Deposit Account No. 19-2381.

ANY FEES DUE ARE CALCULATED AS FOLLOWS:		<u>NUMBER</u>	<u>FEE</u>
TOTAL Claims Remaining over that Previously Paid:		None	\$0
INDEPENDENT Claims Remaining over that Previously Paid:		None	\$0
	SUM Claim Fees:		\$0
EXTENSION Fees:			\$ 60
OTHER Fees:			\$ 405
<u>TOTAL AMOUNT (if any)</u>			\$ 465
<input type="checkbox"/> Paid by enclosed check.			
<input checked="" type="checkbox"/> Paid by enclosed Credit Card Payment Form(s) PTO-2038.			

Respectfully submitted,



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Date: 3-16-09

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